

JESSE SBAIH & ASSOCIATES, LTD.  
Jesse M. Sbaih (#7898)  
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*Attorneys for Plaintiff*

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

PARNELL COLVIN,

Plaintiff,

vs.

M.J. DEAN CONSTRUCTION, INC.;  
DOES I through X; AND ROE  
CORPORATIONS XI-XX, INCLUSIVE,  
inclusive;

Defendant.

Case No.: 2:20-cv-01765-APG-EJY

**JESSE SBAIH & ASSOCIATES, LTD'S  
MOTION TO WITHDRAW AS COUNSEL**

Jesse Sbaih & Associates, Ltd. hereby moves the Court for an order permitting Jesse Sbaih & Associates to withdraw as counsel for Plaintiff Parnell Colvin ("Plaintiff").

This Motion is based on the affidavit of Ines Olevic-Saleh, Esq, and the attached points and authorities.

DATED this 8th day of June, 2021.

JESSE SBAIH & ASSOCIATES, LTD.

By /s/ Ines Olevic-Saleh  
Jesse M. Sbaih (#7898)  
Ines Olevic-Saleh (#11431)  
The District at Green Valley Ranch  
170 South Green Valley Parkway, Suite 280  
Henderson, Nevada 89012  
*Withdrawing Attorneys for Plaintiff*

**AFFIDAVIT OF INES OLEVIC-SALEH, ESQ. IN SUPPORT OF MOTION TO WITHDRAW  
AS COUNSEL PURSUANT TO LR IA 10-6(b)**

Ines Olevic-Saleh, Esq., being first duly sworn, deposes and says:

1. I am over the age of eighteen years old and I am a resident of Clark County, Nevada.

2. The information set forth in this Affidavit is true except for those stated upon information and belief, which I believe to be true.

3. I am an attorney at JESSE SBAIH & ASSOCIATES, LTD., attorneys for the Plaintiff in the above-entitled action. I am duly admitted to practice law in the State of Nevada. I respectfully provide this affidavit in support of Motion to Withdraw as Counsel Pursuant to LR IA 10-6(b).

4. On September 20, 2020, Jesse Sbaih & Associates, LTD ("JS&A") filed a Complaint on behalf of Plaintiff in the above-captioned matter. On May 18, 2021, JS&A filed a First Amended Complaint.

5. At this time, JS&A is encountering irreconcilable differences with Plaintiff which are forcing JS&A to seek withdrawal as Plaintiff's counsel.

6. Discovery in this matter closes on August 9, 2021, dispositive motion deadline is October 8, 2021, and the joint pretrial order is due November 8, 2021 unless any dispositive motions are pending on that date in which case the joint pretrial due date is extended to 60 days after such dispositive motions are decided by the Court. At this time, there are no hearings scheduled in this matter and the trial date has not been set.

7. As such, there will be no prejudice suffered by Plaintiff as a result of JS&A's withdrawal since Plaintiff has ample time to retain new counsel in the near future who can assist him in pursuing this matter.

8. This Motion is not made for the purposes of delay and Plaintiff will be served with a true and accurate copy of this motion, by first class mail, through U.S. Postal Service, at his last known address, and via email.

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9. JS&A respectfully requests that this motion be decided as soon as practicable.  
FURTHER AFFIANT SAYETH NAUGHT.

DATED this 8th day of June, 2021.



Ines Olevic-Saleh

State of Nevada  
County of Clark

This instrument was acknowledged before  
me on the 8 day of June, 2021.



Notary Public

## MEMORANDUM OF POINTS AND AUTHORITIES

### I.

#### LEGAL ARGUMENT

#### **A. Jesse Sbaih & Associates, LTD is Entitled to Withdraw Due to Irreconcilable Differences with Plaintiff**

Nevada Rule of Professional Conduct 1.16(b) provides that a lawyer may withdraw from representation if “withdrawal can be accomplished without material adverse effect on the interests of the client” and “[o]ther good cause [than those enumerated as 1-6] for withdrawal exists.”

Pursuant to Local Rule IA 10–6(b), an attorney may withdraw from representation of a client upon leave of court. A motion for withdrawal of counsel must be served on the affected client and opposing counsel. *Id.* “Except for good cause shown, no withdrawal or substitution shall be approved if delay of discovery, the trial or any hearing in the case would result.” LR IA 10–6(e).

JS&A moves to withdraw as counsel for Plaintiff because of irreconcilable differences with Plaintiff.

As evidenced by the Certificate of Service below, this Motion has been served on the Plaintiff, by first class mail, through U.S. Postal Service, at his last known address, and via email. In addition, the motion has been served on opposing counsel.

1 Discovery in this matter closes on August 9, 2021, dispositive motion deadline is October 8,  
2 2021, and the joint pretrial order is due November 8, 2021 unless any dispositive motions are pending  
3 on that date in which case the joint pretrial due date is extended to 60 days after such dispositive  
4 motions are decided by the Court. There are no hearings scheduled in this matter, and the trial date has  
5 not been set.

6 Therefore, there will be no prejudice suffered by Plaintiff as a result of JS&A's withdrawal  
7 since Plaintiff has ample time to retain new counsel in the near future who can assist him in pursuing  
8 this matter.

9 **II.**

10 **CONCLUSION**

11 Based on the foregoing, Jesse Sbaih & Associates, Ltd. respectfully requests that this Honorable  
12 Court grant its Motion to Withdraw.

13 DATED this 8th day of June, 2021.

14 JESSE SBAIH & ASSOCIATES, LTD.

15  
16 By /s/ Ines Olevic-Saleh  
17 Jesse M. Sbaih (#7898)  
18 Ines Olevic-Saleh (#11431)  
19 The District at Green Valley Ranch  
20 170 South Green Valley Parkway, Suite 280  
21 Henderson, Nevada 89012  
22 *Withdrawing Attorneys for Plaintiff*  
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**CERTIFICATE OF SERVICE**

Pursuant to FRCP Rule 5(b), I certify that I am an employee of the law firm of Jesse Sbaih & Associates, Ltd., and that on this 8th day of June, 2021, I caused **JESSE SBAIH & ASSOCIATES, LTD'S MOTION TO WITHDRAW AS COUNSEL** to be served via electronic service to the following:

Martin A. Little, Esq.  
Robert L. Rosenthal, Esq.  
Howard & Howard Attorneys PLLC  
3800 Howard Hughes Pkwy, Suite 1000  
Las Vegas, NV 89169  
*Attorneys for Defendant*

Via U.S. First Class Mail and email:

Parnell Colvin  
6681 Tara Avenue  
Las Vegas Nevada 89146  
pc681@yahoo.com  
*Plaintiff*

/s/ Jennifer Davidson  
An employee of Jesse Sbaih & Associates, Ltd.